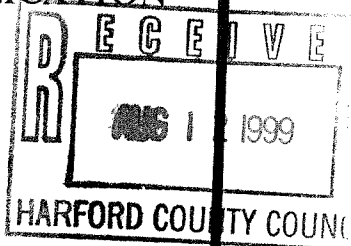


# ZONING RECLASSIFICATION APPLICATION

## Harford County Board of Appeals

Bel Air, Maryland 21014



Case No. 108

Date Filed 7/8/99

Hearing Date \_\_\_\_\_

Pre-Conf. \_\_\_\_\_

Receipt \_\_\_\_\_

Fee \$700<sup>00</sup>

*Shaded Area For Office Use Only*

### Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

### Petitioner

Name Lee K. Harris Phone Number Call Attorney

Address 2905 Fallston Road Fallston MD 21047-1325  
*Street Number Street State Zip Code*

Property Owner Lee K. Harris Phone Number Call Attorney

Address 2905 Fallston Road Fallston MD 21047-1325  
*Street Number Street State Zip Code*

Contract Purchaser None Phone Number \_\_\_\_\_

Address \_\_\_\_\_  
*Street Number Street State Zip Code*

Attorney/Representative Michael E. Leaf, Esquire Phone Number 410-838-2333

Address 112 S. Main Street, Suite 102 Bel Air MD 21014  
*Street Number Street State Zip Code*

## Land Description

Address and Location of Property (with nearest intersecting road) 1619 E. Churchville Rd., Bel Air, MD

21015-4803 - East of Fountain Green

Subdivision \_\_\_\_\_ Lot Number \_\_\_\_\_ Acreage/Lot Size 1 Acre Election District 3rd

Existing Zoning R2 Proposed Zoning B-2 Acreage to be Rezoned 1 Acre

Tax Map No. 41 Grid No. 4E Parcel 113 Deed Reference 2058/309

Critical Area Designation N/A Land Use Plan Designation Neighborhood Center/  
Low Intensity

Present Use and ALL improvements: Residential; House and garage

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.

Example: Conventional, Conventional with Open Space, Planned Residential Development) Commercial

use.

Is the property designated a historic site, or does the property contain any designated or registered historic structures?

No If yes, describe: \_\_\_\_\_

Estimated Time Requested to Present Case: 30 Minutes

## Required Information To Be Attached

(Submit three (3) copies of each):

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

- (4) All surrounding zoning.
- (5) Proposed public or private capital improvements.
- (e) Previous individual rezonings and recommendation since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions.
- (f) Environmental features map indicating woods, fields, streams, floodplains, non-tidal wetlands, etc.
- (g) Property deed and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property.
- (h) Private restrictions or covenants, if any, applicable to subject parcel.
- (i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted.
- (j) Availability of public water and sewer.

## Additional Information as Required by the Department of Planning and Zoning

- (a) Existing and proposed libraries, parks, schools, fire and police departments.
- (b) Demonstration of compatibility of the proposed use with existing and proposed development for the area.
- (c) Traffic impact study.
- (d) Economic and Environmental impact studies.
- (e) Estimated population for existing and proposed petitioned area and neighborhood, as defined.
- (f) Soils analysis.
- (g) Aerial photograph.

CASE NO. 108 MAP 41 TYPE Rezoning

ELECTION DISTRICT 3 LOCATION 1619 E. Churchville Rd., Bel Air Md. 21015

BY Lee K. Harris, 2905 Fallston Road, Fallston Md. 21047

Appealed because a rezoning pursuant to Section 267-12A of the Harford County Code to rezone 1 acre from an R2 to a B2 District requires approval by the Board

I/We do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my/our knowledge, information, and belief.

Lee K. Harris  
Signature of Applicant/Owner  
Lee K. Harris

6/30/99  
Date

Steve Feigel  
Witness  
Date

\_\_\_\_\_  
Signature of Contract Purchaser/Owner Date

\_\_\_\_\_  
Witness Date

Michael E. Leaf  
Signature of Attorney/Representative  
Michael E. Leaf, Esquire

7-2-99  
Date

Marlene A. Juhnel  
Witness  
Date

6/30/99  
Director of Planning and Zoning Date

\_\_\_\_\_  
Zoning Staff Date

**ATTACHMENT A  
TO PETITION FOR ZONING RECLASSIFICATION  
LEE K. HARRIS, PETITIONER**

The Petition for Zoning Reclassification, requests the following information.

Petitioner's submission is as follows:

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

Petitioner: See attachment A-1, List of Adjoining Property Owners.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and, if so, the nature of the mistake and facts relied upon to support this allegation.

Petitioner: The County Council mistakenly retained the R-2 zoning on the subject property even though R-2 district was not appropriate zoning classification and other nearby properties were rezoned during comprehensive rezoning. The location and surrounding uses make R-2 zoning inappropriate.

(2) A statement as to whether there is an allegation of substantial change in the character of the neighborhood, and, if so, a precise description of such alleged substantial change.

Petitioner: No such contention.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

Petitioner: Yes, B-2 zoning is consistent with the Neighborhood Center.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

Petitioner: See Attachment A-2.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

Petitioner: See Attachment A-2.

(3) Neighborhood (as defined by the Applicant).

Petitioner: See Attachment A-2.

(4) All surrounding zoning.

Petitioner: See Attachment A-2.

(5) Proposed public or private capital improvements.

Petitioner: None

(e) Previous individual rezonings and recommendation since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions.

Petitioner: None

(f) Environmental features map indicating woods, fields, streams, floodplains, non-tidal wetlands, etc.

Petitioner: See Attachment A-2

(g) Property deed and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property.

Petitioner: See Attachments A-2 and A-3 (Deed)

(h) Private restrictions or covenants, if any, applicable to subject parcel.

Petitioner: None

(i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted.

Petitioner: None

(j) Availability of public water and sewer.

Petitioner: Both are available.

**Additional Information as Required by  
the Department of Planning and Zoning**

(a) Existing and proposed libraries, parks, schools, fire and police departments.

Petitioner: Bel Air Library; Bynum Run Park; Greenridge Elementary;  
Bel Air VFD; Sheriff.

(b) Demonstration of compatibility of the proposed use with existing and proposed development for the area.

Petitioner: B-2 uses are compatible with nearby cemetery and convenience store/fuel station.

- (c) Traffic impact study.

Petitioner: Will be done for DAC review.

- (d) Economic and Environmental impact studies.

Petitioner: None.

- (e) Estimated population for existing and proposed petitioned area and neighborhood, as defined.

Petitioner: N/A

- (f) Soils analysis.

Petitioner: None

- (g) Aerial photograph.

Petitioner: None